

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1-4, 6-24, and 34-37 are pending in this case.

In the outstanding Office Action, Claims 1, 8, 10, 12, 19, and 36 were rejected under 35 U.S.C. § 112, second paragraph, and Claims 1-4, 6-24, and 34-37 were rejected under 35 U.S.C. § 103(a) as unpatentable over Stefik (U.S. Pub. No. 2005/0086172) in view of Breiter et al. (U.S. Pub. No. 2003/0079133, herein "Breiter").

At the outset, Applicants and Applicants' representative thank Examiner Reagan for the courtesy of an interview with Applicants' representative on August 11, 2010. The remarks herein substantially reflect the discussion during that interview.

With regard to the rejection under 35 U.S.C. § 112, second paragraph, based on the recitation of "or," Applicants note that MPEP § 2173.05(h)(II) explicitly allows alternative expressions using "or." As discussed during the interview, the recitation of "playing or using" contents is, therefore, not indefinite. Thus, Applicants respectfully request that the rejection under 35 U.S.C. § 112, second paragraph, of Claims 1, 8, 10, 12, 19, and 36 be withdrawn.

Applicants respectfully traverse the rejections of the pending claims under 35 U.S.C. § 103.

Claim 1 is directed to an information processing device and recites, *inter alia*, "a control unit for executing processing control for inputting rights information corresponding to contents from said license storage device, via said communication unit, transmitting said input rights information, which indicates rights to receive streaming contents, to said contents distribution server, and receiving streaming contents corresponding to said rights information from said contents distribution server and playing or using said streaming contents, the

control unit *stopping the playing or the using of said streaming contents when a subsequent authentication processing, conducted when the information processing device is receiving said streaming contents, fails.*”

As discussed during the interview, Claim 1 requires a control unit that stops playing or using streaming contents when an authentication processing that is conducted when the information processing device is receiving the streaming contents fails. Both Stefik and Breiter are silent as to at least those features of Claim 1.

The above-discussed deficiencies of Stefik and Breiter with regard to Claim 1 relate to a deficiency of Stefik and Breiter with regard to Claim 16, which recites, *inter alia*, “control unit for executing output processing of a contents file via said communication unit to said contents using device, with establishment of verification of said rights information as a precondition thereof, the *verification of said rights information being executed at least once during the output processing of streaming contents to said contents using device and the output processing of streaming contents being stopped upon failure of the verification.*”

Claim 12 is directed to an information processing device and recites, *inter alia*, “an encryption processing unit for executing encryption processing including authentication processing in said communication processing via said communication unit, *the encryption processing unit executing authentication processing with said contents using device at least once while said contents using device is receiving streaming contents.*”

As discussed during the interview, Stefik and Breiter are deficient at least with regard to an encryption processing unit executing authentication processing at least once while a contents using device is receiving streaming contents.

Claim 21 is directed to a license server and recites, *inter alia*, “an encryption unit for executing encryption processing including *signature generating processing with regard to rights information to be transmitted via said communication unit.*”

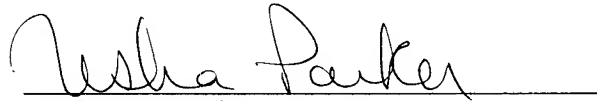
As discussed during the interview, Stefik and Breiter are deficient at least with regard to the signature generating processing of Claim 21. Further, Claim 37, which depends from Claim 21, recites that “*when said mutual authentication with said requesting terminal fails during streaming of contents to said requesting terminal, the streaming of contents is stopped.*” Thus, the above-discussed deficiencies of Stefik and Breiter with regard to Claims 1, 12, and 16 also relate to the deficiencies of Stefik and Breiter with regard to Claim 37.

Based on the discussion above and during the interview, Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) of Claim 1, Claims 1-4, 6-11, 34, and 35, which depend therefrom, Claim 12, Claims 13-15, which depend therefrom, Claim 16, Claims 17-20 and 36, which depend therefrom, Claim 21, and Claims 22-24 and 37, which depend therefrom, be withdrawn.

Accordingly, the outstanding rejections are traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.



Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)

Usha Munukutla-Parker  
Registration No. 61,939